

Alameda County (Calif) Board of Supervisors

THE FOLLOWING MINUTE ORDER was passed and adopted by the following
vote of the Board of Supervisors, County of Alameda, State of California,
on April 18, 1989, to wit:

The Board of Supervisors postponed formal receipt of the Final Report of the Alameda County Elections Evaluation Committee to allow additional time for public comment, continuing the matter to June 6, 1989.

Additionally, the Registrar of Voters was directed to prepare a response to the Recommendations set forth in the report; and the County Administrator was directed to review the items for budgetary impact as part of next year's budget deliberations.

Report Recommendation #8 was referred to the Board's Legislative Committee.

AYES: Supervisors Campbell, King, Santana, Widener and Chairman Perata - 5

NOES: None

EXCUSED: None

FILE # 4154

AGENDA # S-1

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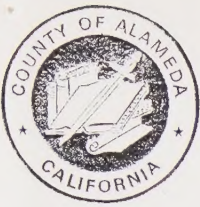
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COUNTY ADMINISTRATOR

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MEL HING
COUNTY ADMINISTRATOR

STEVEN C. SZALAY
ASSISTANT COUNTY ADMINISTRATOR

March 31, 1989

Honorable Don Perata, Chairman
Alameda County Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Chairman Perata:

Subject: Final Report - Alameda County Elections
Evaluation Committee

Attached please find the Final Report of the Elections Evaluation Committee. In accordance with the charge of the Committee by your Board, this report deals with the conduct of the 1987 Special Election, the 1988 Primary and the 1988 General Elections and provides some general conclusions as well as a number of substantive recommendations.

At the convenience of the Board, it is requested that this matter be placed on the Board's agenda for formal presentation and discussion of the Committee's conclusions and recommendations.

I would like to take this opportunity to formally thank the members of the Committee: Jane Coulter, Joe Hurley, Frank Russo and Don Graff, as well as the Registrar of Voters and her staff for their diligent work and effort in support of the Committee.

Very truly yours,

ARTHUR B. GEEN
CHAIRMAN

Attachment
ABG:DG:dg

cc: Other Members, Board of Supervisors
Members, Elections Evaluation Committee
County Administrator
Registrar of Voters

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Clerk, Board of
Supervisors' Office
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COUNTY OF ALAMEDA



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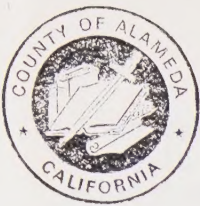
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ASSISTANT COUNTY ADMINISTRATOR

ALAMEDA COUNTY

ELECTIONS EVALUATION COMMITTEE

FINAL REPORT

APRIL 1, 1989

PREPARED AND SUBMITTED BY:

JOE HURLEY, REPUBLICAN PARTY
FRANK RUSSO, DEMOCRATIC PARTY
JANE COULTER, LEAGUE OF WOMEN VOTERS
DON GRAFF, COUNTY ADMINISTRATORS OFFICE
ARTHUR GEEN, ALAMEDA COUNTY TAXPAYERS ASSOCIATION (CHAIRMAN)



UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WASHINGTON, D. C. 20250

OFFICE OF THE ASSISTANT SECRETARY

ALASKA

STATE OF ALASKA

REPORT

APRIL 1, 1988

REPORT NO. 100

THE REPORT, "ALASKA STATE OF ALASKA", WAS PREPARED BY THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, WASHINGTON, D.C. 20250. THE REPORT IS A SUMMARY OF THE RESULTS OF A SURVEY OF THE STATE OF ALASKA, CONDUCTED BY THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, WASHINGTON, D.C. 20250. THE SURVEY WAS CONDUCTED BY THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, WASHINGTON, D.C. 20250. THE SURVEY WAS CONDUCTED BY THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, WASHINGTON, D.C. 20250.

INTRODUCTION

In response to concerns and issues raised by a cross section of Alameda County's electorate after the last General Election, the Board of Supervisors establish an Elections Evaluation Committee on January 3, 1989. This citizens' review panel was charged with reviewing the 1987 Special Election, the 1988 Primary and General Elections and to report and recommend appropriate actions, changes or improvements, including both local administrative and state legislative recommendations.

It was the decision of the Board of Supervisors that the membership of the Elections Evaluation Committee be composed of a representative from each of the following:

- The Republican Party
- The Democratic Party
- The League of Women Voters
- The Alameda County Grand Jury
- The County Administrators Office
- The Alameda County Taxpayers Association

The Alameda County Registrar of Voters was designated to serve as the staff person for the Committee. Board of Supervisors Chairman, Don Perata, appointed Arthur Geen from the Alameda County Taxpayers Association to serve as Chairman. Upon the advice of the District Attorney's Office and that of the Presiding Judge of the Superior Court, the Grand Jury declined to participate since their members are precluded from participation on other committees during their term.

The Committee was formally charged with responsibility for making a preliminary legislative recommendation to the Board of Supervisors no later than February 15, 1989 and with submission of its Final Report no later than April 1, 1989.

Additionally, the Elections Evaluation Committee was directed to hold at least one evening public hearing for the purpose of taking testimony on matters dealing with the conduct of the three elections under review by this Committee.

The Committee wishes to thank those Alameda County citizens who took the time to either write or attend the public hearing and express their views on the conduct of elections in this County. Their comments and recommendations were invaluable in helping the Committee formulate its recommendations.

The Committee also wishes to thank the Registrar of Voters, Emmie Hill, and her staff for their exemplary support and cooperation. Their expertise and insight into the conduct of elections was most helpful in allowing the Committee to develop many of its recommendations.

OVERVIEW

Pursuant to its charge, the Elections Evaluation Committee held a total of seven meetings as well as an evening public hearing on February 28, 1989. The Committee was provided with an in-depth orientation with respect to the operation of the Registrar of Voters Office, the Office was toured twice and the Committee Chairman monitored the conduct of the March 7, 1989 election. It should be noted that the Committee had only a little over two months to investigate the complex operations involved in the conduct of elections and to deliberate with respect to its recommendations. Accordingly, this Final Report should not be considered a comprehensive or exhaustive analysis of the Registrar of Voters Office and the conduct of elections. However, the work of the Committee was sufficiently detailed to allow for some general conclusions to be drawn and for some specific recommendations to be made.

It should be noted also that the Registrar of Voters Office is in the process of installing a new updated computer system for use in all elections conducted in Alameda County. This new system was authorized by the Board of Supervisors in May, 1988 at a cost of approximately \$1.0 million. The target date for having this new system operational is the November, 1989 District elections. Based upon available information, the system will update and maintain the accuracy of the voter registration rolls, prepare labels and provide final voter lists to the public.

The Elections Evaluation Committee members strongly urge the Board of Supervisors to take steps to evaluate the efficiency, effectiveness and actual capabilities of this new computer system when it is operational to ensure that it meets all of the planned goals and objectives.

BACKGROUND

Before commenting on the specific conduct of the elections under review, some perspective needs to be provided with respect to the Alameda County Registrar of Voters Office.

The Registrar of Voters in Alameda County is appointed by the Board of Supervisors. The Registrar of Voters Office has a total of 28 full-time staff, of which 7 are designated as management positions. In addition, the Office has a total of 26,818 clerk intermittent hours, or approximately 94 positions, which are used as the need arises before, during and after elections. The 1988-89 Final Budget for the Registrar of Voters Office shows Appropriations totalling \$2.78 million and Revenues totalling \$0.64 million. This results in a Net County Cost of \$2.14 million.

There are a total of 695,813 registered voters in Alameda County which has a total population of 1.2 million. During 1988 in Alameda County, the Registrar of Voters Office was responsible for the conduct of 35 municipal, special and district elections, including the Primary Election in June and the



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General Election in November. In 1989, the Office will be responsible for conducting approximately 21 municipal and special district elections. For the November General Election, there were 1007 polling places, 122 different ballot types and over 4,000 paid and unpaid volunteers needed by the Registrar of Voters Office.

While each of these elections may not have been conducted separately, they nevertheless point out the magnitude of responsibility assumed by the Registrar of Voters.

DISCUSSION

The initial discussions of the Elections Evaluation Committee focused on consideration of whether there were any broad legislative changes that could be made which could improve the overall conduct and operation of elections. The Legislative Report was not intended to address specific concerns or issues with respect to the conduct of either the 1987 Special Election, the 1988 Primary Election or the 1988 General Election.

On February 14, 1989 the Elections Evaluation Committee submitted its legislative recommendations to the Board of Supervisors (See Attachment). In the opinion of the Committee members, these legislative changes can serve as a first step in improving not only the conduct of elections but the perception of the election process itself by voters.

The following Legislative Recommendations were adopted by the Board of Supervisors:

- Amend the Elections Code to restrict the filing of petitions during the twenty nine days before and five days after a statewide primary or general election. This change would relieve the Registrar of Voters of the time consuming and labor intensive burden of verifying petition signatures right before large major statewide elections when limited staff are already stretched to the maximum.
- Amend the Elections Code to require designation of local ballot measures with both a number indicating the County of origin and a letter commencing with the letter A and continuing in alphabetical order. This change would make clear to the voters precisely which city, county or district is concerned with a particular measure. Particularly in urban areas, voters are regularly confused and even deceived by campaign advertising which seldom indicates the jurisdiction in which a measure is being voted upon.
- Amend the Elections Code to require that all public buildings be made available for use as potential polling locations. This would increase the number of available and accessible polling places in Alameda County and help to alleviate an ongoing problem of the Registrar of Voters Office in finding sufficient numbers of suitable polling places. Under current law, only schools are referenced.

- There were two additional issues which the Committee felt warranted a position of support by Alameda County. The first, which will be introduced by the Secretary of State's Office and is supported by the County Clerks Association would allow local Registrars more flexibility and discretion when dealing with the question of lost or misplaced affidavits of registration. The second would endorse the concept of a Positive Purge of voter registration rolls as being in the best interests of everyone including local government as it would provide for significant cost saving in the operation of Registrar of Voters Offices. However, this Positive Purge must include adequate safeguards and be coupled with an outreach voter registration program.

This Final Report includes an additional legislative proposal which would allow mailing of one Sample Ballot for the statewide General election to registered voters with the same surname living in the same household (see Recommendation #8 and Attachment).

Following submission of the Legislative Report, the Committee focused its attention on how the past three elections in Alameda County were conducted and specifically on the operation of the Registrar of Voters Office during these elections. Based upon letters, testimony at the public hearing, personal observations and experiences, five major areas of complaint were identified. Members of the Elections Evaluation Committee were able to draw some general conclusion and make a number of specific recommendations for improving the overall conduct and operation of elections throughout Alameda County.

In the opinion of all members of the Elections Evaluation Committee, the primary mission of the Alameda County Registrar of Voter's Office is to ensure that all elections are conducted in a fair, efficient, effective, legal and nonpartisan manner. The Registrar should continue her efforts, with the support of the Board of Supervisors, to resist demands from the media, political parties, candidates and others for ever faster and faster ballot results and minute by minute precinct voting trends so that the primary mission of the Office is not superseded.

Elections in Alameda County are counted fairly. Protection is provided by in-house programming and vote counting. Monitoring is done by a Logic and Accuracy Board before and after the ballot count. However, fraud of all kinds remains a possibility.

During the 1988 Primary and General Elections, the Registrar of Voters Office performed under difficult conditions imposed by the lengthy ballot, inadequate computer equipment, record number of absent ballot requests, and record number of new voter registrations.

It was suggested to the Committee that the current voting method be changed to allow voters to be able to cast their ballots by computer terminal at the polls or by some other similar electronic means. This is not practical given the current state of the art which does not provide audit or recount capability and it would be much too costly for Alameda County to consider at this time.

The Committee found that many of the current election problems would be alleviated if voters assumed responsibility for checking the location of their polling place on the sample ballot, for requesting absent ballots at the earliest date possible, for being careful when voting so as not to improperly use the votomatic machines, and finally for taking the time to learn about the candidates and ballot measures and deciding how to vote before stepping into the voting booth.

The Registrar of Voters has instituted a number of changes in procedures and practices in response to the public input and has agreed to other changes and suggestions developed by this Committee. In particular, the Registrar has taken corrective action with respect to the problems associated with lost ballots that occurred with the New Haven election in June, 1988. The Committee wishes to emphasize to the Board of Supervisors the need for ongoing monitoring of compliance with these new policies and practices to ensure that such an incident does not reoccur.

In evaluating the testimony and comments, the Committee found that there were five major areas of complaint. They are:

- Voter Registration
- Mailing of Sample Ballots
- Absent Voting
- Election Day Problems
 - Difficulty or inability to reach the Registrar's Office by telephone
 - Inadequately trained election poll workers
 - Polls not opening on time
 - Lack of adequate polling place equipment/supplies
 - Problems with votomatic machines jamming.
- Registrar's Office Operation
 - Ballot security/fraud
 - Employee relations problems
 - Training

In 1988 there was an unprecedented increase in new voter registrations, an increase in the number of persons voting absentee, and an extremely lengthy ballot with which voters had to contend. This had the result of placing an extreme amount of pressure on every Registrar of Voters Office throughout the State as they carried out their vital functions. It also placed a burden on the voter to come to the polls adequately prepared to vote in an efficient manner. The length of the ballot simply did not allow for analysis while in the voting booth.

Voter Registration

It is clear that sufficient temporary personnel were not hired in time to process affidavits in time for hundreds, if not thousands, of newly registered voters to appear on the microfiche or rosters. Sample ballots were mailed late. This made it difficult for voters to obtain absent ballots on time. This resulted in some newly registered voters not being able to vote.

There were other problems associated with registrations, including a number of would-be voters being disenfranchised by an initial ruling of the Registrar of Voters that simple mistakes such as placing the individual's birth date in the space for date of registration or vice versa invalidated the registration and could not be corrected. This ruling was corrected only after a number of registrations were declared invalid and returned to the individuals who were attempting to register. No copies of the returned invalidated affidavits were kept by the Registrar's Office and so it was difficult, if not impossible, to correct this problem.

Some members of the Committee felt that there was not the same level of outreach on the part of the Registrar's Office to obtain and promote registrations as had occurred in the past.

Mailing of Sample Ballots

There were a number of complaints that sample ballots were either not received, received late, or that the wrong sample ballot was received. The complaints suggest that this was not an isolated problem. The result was that confusion was created on the part of the voter as to where that person should vote, many more telephone calls were generated to the Registrar of Voters Office, and there was a less informed electorate.

While part of the problem may be attributed to the United States Postal Service, the Committee is of the opinion that other factors such as the delays in processing registrations (which is necessary before those sample ballots can be mailed) and failure to order sufficient quantities of sample ballots contributed to this problem.

Absent Voting

What happened with the absent voter ballots in 1988 was unprecedented. In Alameda County 74,044 requests were received and the Registrar was able to process 62,608 absentee ballots or 84.6%. The total number of requests represented an increase of approximately 50% over prior year levels. The Committee received letters and specific testimony at the public hearing concerning individual problems in receiving absent ballots in time to vote.

In addition to evidence of individual problems, there is evidence that suggests that the Registrar of Voters Office was mailing out a large number of absentee ballots on the weekend before the election. This obviously does not give adequate time for these to be returned in many cases. Many of those sent out of state were mailed air express, costing the County extra expense that could have been avoided if they were mailed in a timely fashion. Many individuals asserted that they requested absent ballots well in advance of the deadline, but the ballots did not arrive until very late.

Election Day Problems

There were many problems on election day. Given the complexity of running an election, the large number of volunteers relied upon, and the intense time pressures, problems are to be expected. However, the following problems deserve more attention on the part of the Registrar of Voters Office.

There were tremendous problems with the telephones in the Registrar's Office on election day. The Committee heard testimony from a number of people concerning this. The telephone problem would have been undoubtedly less severe if some of the reasons for the calls such as late processed registrations, polls opening on time, etc. were reduced. Changes in the telephone system and procedures are clearly needed. The Registrar had already identified this as a major problem area and taken steps to correct the problem before the Committee began its work. Additionally, the processing of absent ballots or other activities that can be avoided on election day should take place on another day so that all resources can be devoted to running the election.

There were approximately 20 polls that did not open on time in the November General Election. This resulted in voters not being able to exercise their franchise or, at least, being delayed or inconvenienced from so doing. From the list given to the Committee by the Registrar, it appears that this problem occurred in Oakland and Berkeley and not elsewhere in the County. However, this may be due in large measure to the lack of reporting of occurrences from other parts of the County. To the extent the Registrar of Voters must rely on volunteers who receive minimal recompense, this may not be totally remedied by any effort on the part of the Registrar.

Problems with the polling places, equipment, and poll workers also appears to be a major complaint. Some members of the Committee were of the opinion that this problem seemed to be the greatest in minority neighborhoods. Greater efforts need to be made to secure safe, appropriate and convenient polling sites and to increase their visibility. Increased use of schools, churches and other public building sites should be encouraged.

The Registrar has indicated that 260 calls were received on election day reporting jammed votomatic machines. Given the problems experienced by poll workers and others in phoning into the Registrar's Office, the actual number of problems could be much higher. Extra voting machines should be available at each polling place so that they can be used when the inevitable occurs.

It may also be that due to the number of voters in consolidated precincts that additional booths are also needed. This assumes adequate space to put them in. Given the limitations of most garages, this is an additional incentive to use public and church sites more heavily.

There is a problem of accessibility of polls by the disabled. In November, 58% or 584 out of 1007 polling places were accessible. At the present time, the Registrar indicates that 77% or 775 are accessible or accessible via a portable ramp. Additional steps should be taken to identify appropriate sites or to make current ones more accessible. The poll workers should be aware of the fact that if someone can not access the polling place, it is within disabled persons' right to request that they be allowed to vote outside the location and that they be provided with the proper equipment.

There is a need to improve the quality and competence of volunteers used on election day as well as to increase the total number of individuals available. There have been reports of a few workers showing up intoxicated and of others not showing up at all. Steps should be taken to make sure that these individuals are not allowed to work in future elections. Also, some polling workers appear not to understand election day procedures, what is required of them, or the law, particularly with respect to the use of provisional ballots.

The question of voter fraud and ballot security are major concerns of the Registrar of Voters and of the Committee. The potential for problems appears almost endless. While the Committee found no evidence of voter fraud, it is an issue that merits ongoing evaluation and monitoring. One way that has been suggested is to have one person in the Registrar's Office be responsible for overseeing all complaints and inquiries from the public having to do with voter fraud, registration irregularities and ballot security. The Registrar of Voters would continue to keep a log of all complaints/inquiries and have written guidelines concerning information to be gathered every time there is an allegation by a member of the public. This information should include: the name, address and telephone number of the person complaining; a description of the alleged problem including whether it is an ongoing problem; the location of the problem and the time it occurred; all information obtainable about the people involved in the problem. The person overseeing this function would then have the responsibility for contacting local police and investigating agencies for follow-up.

The Committee heard from a number of individuals at the public hearing regarding problems of electioneering at or near polling locations. Under current law, persons are prohibited from such political activity within 100 feet of a polling location. They also expressed frustration in attempting to deal with this problem as persons would simply move away if an election or law enforcement official was present and then return later. Individuals were critical of the fact that, when there was a problem, it was extremely difficult to get assistance from local law enforcement officials or from the Registrar of Voters Office.

Registrar's Office Operation

The Committee heard testimony from several individuals regarding problems of staff morale and the quality of supervision provided to volunteers, staff and temporary help. One of the speakers at the public hearing suggested that

the matter was so severe that it called for an investigation by the Alameda County Grand Jury since that body has the authority to investigate such allegations and to provide for anonymity of witnesses.

Various members of the public testified that the current copying fee structure in use by the Registrar of Voters Office is too high and that it may inhibit some individuals from accessing information. It was recommended that the Committee consider some type of reduction and/or sliding scale fee structure.

It was noted by several members of the Committee that it is apparently common practice for workers to leave confidential voter registrations in open boxes at their desk. It is apparently not Office procedure for these to be placed in a secure and locked location in the evenings or on weekends.

RECOMMENDATIONS

The Elections Evaluation Committee submits the following recommendations for consideration by the Board of Supervisors. It is acknowledged that some of the recommendations may call for an increase in County funding to the Registrar of Voters Office. However, the Committee recognizes that the final decision rests with your Board and can only be made within the context of the County's overall program and fiscal needs.

The 52 Recommendations are not listed in order of priority. Each has been given a number designation simply to aid in discussion and presentation.

VOTER REGISTRATION

Recommendation 1: Have the Registrar of Voters Office increase the level of outreach in order to obtain and promote voter registrations.

Recommendation 2: Hire sufficient temporary workers ahead of time to get registrations processed and put into the computer so that labels can be prepared for timely mailing of the sample ballot (see Recommendation 5).

Recommendation 3: Have the Registrar, as part of the control of groups circulating registration affidavits, that it is illegal to destroy affidavits or not turn-in completed forms.

MAILING OF SAMPLE BALLOTS

Recommendation 4: Encourage the Registrar of Voters to continue to meet with Arthur T. Hambric, Postmaster, Oakland Division, to resolve problems (material not delivered, left on tables or mail racks, etc.) and expedite the timely delivery of ballots and return of incorrectly addressed ballots.

Recommendation 5: Adopt a plan to provide additional supervisory and clerical personnel, if needed, to allow for a third shift to be able to adequately input information into the computer during peak periods.

Recommendation 6: Order a slightly increased printing of sample ballots and ballots in areas where shortages have been reported.

Recommendation 7: Change the the Sample Ballot to read in large type "Take this to the polls with you" to allow easy check of name and address, proper polling place, to advise voters to pre-mark the Sample Ballot to avoid delays; and to contain several removable facsimile ballots which the voter can take to the polls.

Recommendation 8: Support a legislative change to the Election Code to allow mailing of one Sample Ballot for the statewide General election to registered voters with the same surname living in the same household, thus reducing County costs for printing and mailing (See Attachment).

ABSENT VOTING

Recommendation 9: Evaluate and implement other corrective steps if the new computer system does not substantially assist in the processing and mailing of absent ballots.

Recommendation 10: Emphasize the use of proper procedures in the handling of absent ballots turned in at polling places.

Recommendation 11: Make an effort to get absent ballot forms out to the general public as soon as appropriate after registration has closed, in a manner similar to distribution of registration forms.

ELECTION DAY - TELEPHONES

Recommendation 12: While the Registrar plans to upgrade telephone service, there are not enough lines connected to the County system that are being used for incoming public calls on election day. It is not suitable that temporary line caller must get numbers from Directory Assistance, since most callers will use the telephone book. Lines should be freed for the public and recruiters should use temporary lines. There should be more "dedicated lines" for Election Officers and troubleshooters. During consolidated elections, City Clerks' should be enlisted to make lines available and have direct lines to the Registrar's Office.

Recommendation 13: Have incoming calls directed to appropriate lines according to type of inquiry.

Recommendation 14: Investigate system of call rotation to handle calls in order received.

Recommendation 15: Give priority to telephone requests from polling places.

Recommendation 16: Continue to use the media to advertise locations of polling places as one means of reducing the number of telephone calls.

Recommendation 17: Attempt to reduce the number of calls from polling places by using provisional ballots more frequently instead of telephoning for confirmation of affidavits on election day.

ELECTION DAY – POLLING PLACES

Recommendation 18: Establish a procedure where each polling place has a large readable map showing the boundaries of that particular precinct and neighboring precincts available for public use.

Recommendation 19: Require precinct coordinators and County workers sent to the polls to have official identification and more assigned troubleshooters to precincts where complaints are usually received.

Recommendation 20: Provide more supervision and monitoring at the warehouse prior to distribution; each polling place supply box should contain the name and/or other identifying information of the individual responsible for stocking the box, since 11 percent of complaints by poll workers involve missing supplies,

Recommendation 21: Have the Registrar of Voters Office review and evaluate the manner in which the voting is handled at the polling location with specific attention to work flow, voter traffic patterns, and time efficiencies as one method of facilitating the voting process.

Recommendation 22: Reduce or avoid jamming of the votomatic machines by re-drawing the inside of the front cover of the sample ballot to show flap extended; post signs in polling place and each booth directing voter not to fold flap over ballot before inserting.

Recommendation 23: Provide extra votomatic machines at each polling place so that they can be used in the event of a malfunction or jam.

Recommendation 24: Identify additional sites or make current sites more accessible for the disabled voter.

Recommendation 25: Have the Registrar of Voters contact the Sheriff to discuss the need for new and additional voting booths and explore the potential for such construction/repair being done at no cost to the County through the use of inmate labor at the Santa Rita Jail Facility.

Recommendation 26: Use more aggressive recruitment techniques in securing suitable polling locations.

Recommendation 27: Provide poll workers, as part of the training, with some direction on how to deal with electioneering problems such as calling the police, Sheriff or Registrar's Office; and have the Registrar put up new signs at each polling location that clearly indicate to people that such practices are illegal and cite the specific Code section.

ELECTION DAY - POLL WORKERS

Recommendation 28: Provide an adequate number of back-up personnel from the Registrar's Office so as to allow for illness and no-shows on the part of poll workers and provide a procedure for the immediate dispatch of such back-up personnel to the appropriate location.

Recommendation 29: Implement a procedure to identify persons who are not qualified to operate a polling place and to insure that they are barred from working in future elections.

Recommendation 30: Implement the Registrar's new plan that calls for the year-round recruitment and training of election workers with training being intense coverage of all rules, laws and procedures governing an election as well as problem resolution on election day. Provide of hands-on training with role playing as well as the use of video training films.

Recommendation 31: Implement a procedure after each election for a systematic debriefing of election day workers as to problems, experiences and suggestions for improvement.

Recommendation 32: Provide for ongoing evaluation and monitoring of the training procedures in use in Alameda County.

Recommendation 33: Implement a procedure to send recruitment mailing to all registered voters in selected precincts and update the current listing of prospective election officers; and provide outreach to neighborhood and community organizations to solicit volunteers.

Recommendation 34: Investigate methods to allow some election officials to take advantage of job sharing - work half day shifts at polling locations.

Recommendation 35: Allow all County employees with accumulated sick leave of 20 or more days may volunteer to be on a list to volunteer for the Registrar of Voters on or before election day. With at least 5 days prior notice and approval of the immediate supervisor for each day - up to 3 - the employee may be assigned to work for the Registrar of Voters, and the County will allow the employee to use a sick day for this day of "missed" work and add one day of vacation to any accumulated vacation for the employee. In the case of a shift on Election Day that assumes 12 hours or more of duty, one and a half sick days will be used up and one and a half days of vacation will be accumulated by the employee. The only County employees who have accumulated the appropriate days of sick leave who would not be eligible to do this would be persons serving on ~~the~~ this committee.

Recommendation 36: Have the Board of Supervisors should adopt a policy of encouraging County employees to participate in election operations.

Recommendation 37: Have the instruction material that is provided to election poll workers revised to be more readable and understandable and with particular attention paid to revising and clarifying the sections dealing with provisional ballots and disabled voting.

REGISTRAR'S OFFICE OPERATION

Recommendation 38: Establish a procedure whereby persons voting provisionally are notified and informed as to whether their ballot was allowed and, if not, why not.

Recommendation 39: Provide additional supervisory personnel in order to utilize temporary workers more effectively.

Recommendation 40: Reduce emphasis on counting of absent ballots on election day, do not pull workers off the telephones or other vital function to validate absentee ballots.

Recommendation 41: Conform review of provisional ballots to court orders, and have a recheck done by permanent staff after initial handling by temporary workers.

Recommendation 42: Have a person in the Registrar's Office be responsible for overseeing all complaints/inquiries from the public having to do with voter fraud, registration irregularities, and ballot security. The Registrar of Voters would continue to maintain a log of all complaints/inquiries and have written guidelines concerning information to be gathered every time there is an allegation by a member of the public. This information should include: Name, address and telephone number of complaining parties; a description of the alleged problem including whether it is an ongoing problem; the location of the problem and the time it occurred; and all other information obtainable about the people involved in the problem. This person would have responsibility to guarantee all of those taking information about alleged irregularities in registration and voting will have appropriate training to gather this information when possible. This person also would have the responsibility to be aware of any ongoing pattern of complaints which suggest a serious problem. The person overseeing would then have the responsibility to contact police and investigating agencies for any problem that call for such action in addition to responding to the complaining party regarding the outcome of the complaint.

Recommendation 43: Allow no unsupervised persons access to records in the Registrar's Office. Unfinished work should not be left scattered on desks overnight. Trays of election material should not be visible from public areas. Confidential voter registrations should be held in a secured area which cannot be accessed by the public.

Recommendation 44: Maintain the concept of an Election Evaluation Committee, particularly to review November 1989 computer operation, and composed of representative from both major political parties, the League of Women Voters, the Taxpayer's Association and the Registrar of Voters Office.

Recommendation 45: Add a new program responsibility to the position of Assistant Registrar of Voters. The primary duties would include: training of in-house staff and election volunteers, community outreach and education, securing and maintaining a list of qualified polling places throughout Alameda County, disseminating public relations materials and information about the election process and the operations of the Registrar's Office. This program responsibility would be given a high priority in terms of other work assignments. If properly staffed, this could have a significant impact on reducing the complaints and problems associated with operation of an election by the Registrar of Voters and be a positive factor in maintaining and improving the Office's image in the community.

Recommendation 46: Direct the Registrar to change the current policy and designate only the jurisdiction that has submitted measures in ballot headings, and not identify the type of measure, leaving that description to the body of the ballot statement.

Recommendation 47: Have the Registrar place more dependence on the election law specialist in the County Counsel's Office in any matter involving the interpretation of the laws and, prior to any election, meet and confer with County Counsel staff to ensure that sufficient legal resources are available in case of lawsuits.

Recommendation 48: Direct the Registrar to change the current policy and not repeat letter designations of measures when unconsolidated elections are held on the same day.

Recommendation 49: Give the Registrar of Voters Office a high priority by the Board of Supervisor when considering which department should be selected as the subject of the County's Departmental Performance Audit Program which is designed to evaluate staffing, organizational and programmatic aspects of service delivery.

Recommendation 50: Have the Registrar of Voters develop a revised copying fee schedule for presentation to the Board of Supervisors which reflects the following cost structure: \$1.00 for the first page and \$0.10 for each additional page.

Recommendation 51: Have the Registrar of Voters review consolidation rate charges to ensure that actual costs of operation are being recovered.

Recommendation 52: Have the Registrar conduct some spot comparisons of roster signatures with registration affidavits to determine level of fraudulent voting between elections.

CONCLUSION

The Elections Evaluation Committee heard about a number of problems associated with the conduct of elections in Alameda County. The Committee is of the opinion that there were significant, major problems associated with the 1988 Primary and General Elections. It is acknowledged that these two elections were unique in nature given the large increase in new voter registration and the significant use of absent ballots, and that these resulted in many operational problems for Registrars of Voters throughout the State.

However, the Committee is of the opinion that many of the internal policies and procedures of the Alameda County Registrar of Voters resulted in an escalation of the problems experienced in this County. The Registrar's willingness to accept the public's and this Committee's constructive criticisms and to independently institute corrective changes in policies and practices is viewed as a positive factor.

The conclusions and recommendations of the Elections Evaluation Committee are intended to act as a catalyst for positive changes and improvements in the operation and conduct of elections in Alameda County. Some of the recommendations may involve an increase in County expenditures for the Registrar's Office and policy changes with respect to the appropriate role of the Registrar of Voters in Alameda County. The decision of how best to balance these priorities with competing priorities in other County departments and agencies is left to the Board of Supervisors to determine.

It was suggested that some of the allegations regarding internal staff problems in the Registrar's Office be referred to an appropriate investigative body for additional follow-up. The Committee is of the opinion that such a referral is not warranted at this time; however, the Board of Supervisors and the County Administrators Office should make the Registrar's Office one of the first county departments subject to the new Departmental Performance Audit Program.

* * * * *

ATTACHMENT

- Legislative Proposal relative to Recommendation #8
- Elections Evaluation Committee Legislative Report

ALAMEDA COUNTY REGISTRAR OF VOTERS
1225 Fallon St., Oakland 94612
(415) 272-6933

LEGISLATIVE PROPOSAL

ADD/AMEND REPEAL CODE SECTION(s)

California Election Code Sec. 10010

WHAT DOES THIS PROPOSAL DO:

This proposal allows mailing of one Sample Ballots for the Statewide General election to registered voters with the same surname living in the same household.

WHAT PROBLEM(S) WILL THIS PROPOSAL RESOLVE?

This proposal will reduce the number of sample ballots that must be printed and mailed for a major election, thus reducing county costs for printing and mailing.

JUSTIFICATION IN DETAIL:

At present, every registered voter with the same surname in a household receives the same sample ballot for a Statewide General election, while only one State Pamphlet is sent to each household. Since the sample ballot is the same for each registered voter with the same surname living in the same household, sending one to each household would reduce the number of sample ballots that need to be printed and mailed for a General Election, thus resulting in a significant cost savings to Counties. Since several people mark their sample ballot prior to voting, it is proposed that the sample ballot contain four perforated facsimile (official ballot) cards for voters to premark.

HOW WILL THIS PROPOSAL AFFECT THE AGENCY AND PUBLIC?

Would decrease expense for County

Should have minimal impact on public since they will still be receiving the same information.

ARE THERE ANY OTHER RELATED CODE SECTIONS THAT WILL BE AFFECTED?

no

WILL THIS PROPOSAL SAVE/INCREASE COSTS: EXPLAIN AND GIVE ESTIMATES:

In major elections with 695,000 registered votes, we mail approximately 530,00 state pamphlets to each household. If we mailed one County Sample Ballot to each household rather than to each registered voter, we would save approximately \$100,000.

WHAT OTHER AGENCIES WOULD BE AFFECTED BY THIS PROPOSAL?

none

DRAFT LANGUAGE:

Add to Sec. 10010: "For Statewide General elections, a sample ballot may be mailed, postage prepaid, to two or more registered voters having the same surname and the same postal address."

0312/17
1/25/89



COUNTY ADMINISTRATOR

1221 OAK STREET • SUITE 555 • OAKLAND, CALIFORNIA 94612 • (415) 272-8984

MEL HING
COUNTY ADMINISTRATORSTEVEN C. SZALAY
ASSISTANT COUNTY ADMINISTRATOR

February 8, 1989

Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Board Members:

Subject: Report by the Elections Evaluation Committee -
Legislative Recommendations

RECOMMENDATIONS:

In accordance with the directive of your Board that the Elections Evaluation Committee review areas for possible legislative change, it is respectfully recommended that your Board adopt the following as an addendum to the County's Legislative Program for 1989-90:

1. Authorize County Sponsorship of the following three proposals:

- Amend Section 3520 of the Elections Code to restrict the filing of petitions during the twenty nine days before and five days after a statewide primary or general election;
- Amend Section 10219 of the Elections Code to require designation of local ballot measures with both a number indicating the County of origin and a letter commencing with the letter A and continuing in alphabetical order;
- Amend Section 1504 of the Elections Code to require that all public buildings be made available for use as potential polling locations; and

2. Authorize County Support of the following two policies:

- That in order to reduce the number of voters who are denied the right to vote even though they properly executed an affidavit of registration but which was somehow misplaced by a third party, Registrars of Voters be allowed to accept as evidence of registration possession of a valid affidavit receipt or a valid photocopy of the affidavit;
- That the concept of a Positive Purge of the voter registration rolls with adequate safeguards, coupled with an outreach voter registration program, is a necessary and essential part of the election process.

SUMMARY:

On January 3, 1989, your Board established an Elections Evaluation Committee. A citizens' review panel to review the 1987 Special Election, the 1988 Primary and General Elections and to report and recommend appropriate actions, changes or improvements, including local administrative and state legislative recommendations. The Board also directed that this Committee report its preliminary legislative recommendations no later than February 15, 1989.

DISCUSSION/FINDINGS:

Members of the Elections Evaluation Committee have held three meetings to discuss the goals and objectives of the Committee's work, the operation of the County's Registrar of Voters Department as well as improvements and changes which would require legislative action.

In the judgement of the Committee, there are three specific legislative changes that merit County Sponsorship during the 1989 legislative session (See Attachments).

- Restrict the filing of petitions 29 days before and 5 days after statewide elections. Such a change would relieve the Registrar of Voters of the time consuming and labor intensive burden of verifying petition signatures right before large major statewide elections when limited staff are already stretched to the maximum.
- Make clear to the voters precisely which city, county or district is concerned with a particular measure. Particularly in urban areas, voters are regularly confused and even deceived by campaign advertising which seldom indicates the jurisdiction in which a measure is being voted upon.
- Increase the number of available and accessible polling places in Alameda County and help to alleviate an on-going problem of the Registrar of Voter's Department of finding sufficient numbers of suitable polling places. Under current law, only schools are referenced.

There are two additional issues which the Committee felt warranted a position of Support by Alameda County. The first, which will be introduced by the Secretary of State's Office and is supported by the County Clerk's Association would allow local Registrars more flexibility and discretion when dealing with the question of lost or misplaced affidavits of registration. The second would endorse the concept of a Positive Purge of voter registration rolls as being in the best interests of all parties concerned. However, this Positive Purge must include adequate safeguards and be coupled with an outreach voter registration program.

The members are of the opinion that these legislative changes can serve as a first step in improving not only the conduct of elections but the perception of the election process itself by voters. The Committee is continuing its

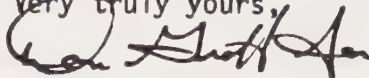
February 8, 1989

work with respect to reviewing the conduct and manner in which the 1987 Special and 1988 Elections and shall submit its final report and recommendations to your Board no later than April 1, 1989. Additionally, plans are being made to hold an evening meeting the first week in March, 1989 to solicit input from the general public.

FINANCIAL:

There are no costs associated with these proposed legislative recommendations or policy positions.

Very truly yours,



ARTHUR B. GEEN
CHAIRMAN
ELECTIONS EVALUATION COMMITTEE

Attachment
AG:DG:dg

cc: Members, Elections Evaluation Committee
County Administrator
County Counsel
Lynn Suter, Legislative Representative

5803i

ALAMEDA COUNTY REGISTRAR OF VOTERS
1225 Fallon St., Oakland 94612
(415) 272-6933

LEGISLATIVE PROPOSAL

ADD/AMEND REPEAL CODE SECTION(s)

California Elections Code Sec. 3520

WHAT DOES THIS PROPOSAL DO?

Restricts filing of petitions during the 29 days before a statewide election and 5 days after the statewide election.

WHAT PROBLEMS WILL THIS PROPOSAL RESOLVE?

Will relieve workload on Registrar of Voters during the 29 days before an election when preparing for that election and 15 days after the election when canvassing (cleanup) for the election.

JUSTIFICATION IN DETAIL:

The number of petitions which will be filed immediately before and after a statewide election is unknown, however, when petitions are filed during election time or non election time, the signatures must be counted and verified within 15 days, regardless of when they may be placed on the ballot. In order to eliminate unnecessary activities prior to a statewide election and immediately following a statewide election, it is requested that examination and certification of qualified voters on a petition be restricted during the 29 days before a statewide election and 5 days after the statewide election.

HOW WILL THIS PROPOSAL AFFECT THE AGENCY AND PUBLIC?

Will allow better scheduling of workload and will not interfere with preparations for an election.

ARE THERE ANY OTHER RELATED CODE SECTIONS THAT WILL BE AFFECTED?

Affects CA Elections Code sections 3514, 3520, 3521-3523.1. Initiative and Referendum Petitions. Sec. 3514 states that no initiative or referendum shall be placed on a statewide special election ballot which qualifies less than 131 days before the date of this election.

The Registrar of Voters has 30 days to examine 100% of the signatures of a petition if the number of valid signatures from statistical sampling is within 95-110% of the number of signatures needed. The ROV has 15 days before that to signature check the statistical sample, and 5 days before that to count the total number of signatures on a petition.

Therefore, limiting signature checking to 29 days before the June primary election and 5 days after the election may interfere with all of the time periods relevant to filing and signature checking statewide petitions. The deadline for the initiative to qualify for the ballot in November would have to be changed to 29 days before the June Primary, or 176 days before the statewide November election for this change to work.

lections Evaluation Committee
County Administration Building
Suite 555

LEGISLATIVE PROPOSAL

AMEND CODE SECTION

California Election Code Sec. 10219

WHAT DOES THIS PROPOSAL DO?

This proposal would require designation of local ballot Measures with both a number indicating the County of origin, and a letter commencing with the letter "A" and continuing in alphabetical order. The numerical order of the County designation would be in accordance with the alphabetical order of County names, beginning with "1."

Where a District election is conducted simultaneously in two or more Counties, the numerical designation will be that of the County with the largest population as established by the Department of Finance.

EXAMPLES: Los Angeles County local measures would be 19-A, 19-B, etc. and Alameda County local measures would be 1-A, 1-B, etc.

WHAT PROBLEMS WOULD THIS PROPOSAL RESOLVE?

This proposal would make precisely clear to the voters which City, County or District is concerned with "Measure A."

JUSTIFICATION IN DETAIL

Particularly in metropolitan areas, with over-lapping electronic media and outdoor signs viewed by commuters, voters are regularly confused and even deceived by campaign advertising which seldom indicates the jurisdiction in which "Measure A" is being voted upon. There is substantial anecdotal evidence that voters are confused by campaigns in an adjoining jurisdiction.

EFFECT ON AGENCIES, COSTS

None.

DRAFT LANGUAGE

Amend to read: "All county, city or other local measures shall be designated by a number which indicates the county's ranking in an alphabetical listing of counties, commencing with the number "1," followed by a hyphen and a letter, commencing with the letter "A" and continuing in alphabetical order, one letter for each such measure appearing on the ballot. Where a single measure is voted upon in two or more counties, the numerical designation shall be that of the county with the largest population, as established by the Department of Finance."

ABG:g
2/3/89

ALAMEDA COUNTY REGISTRAR OF VOTERS
1225 Fallon St., Oakland 94612
(415) 272-6933

LEGISLATIVE PROPOSAL

ADD/AMEND REPEAL CODE SECTION(s)

1504 Authorization for the use of schools and other public buildings

WHAT DOES THIS PROPOSAL DO?

This proposal makes it mandatory for other public buildings to be used as polling places at the request of the county election officer.

WHAT PROBLEMS WILL THIS PROPOSAL RESOLVE?

Will help resolve problem of recruiting enough adequate and accessible polling places for elections.

JUSTIFICATION IN DETAIL:

At present it is very difficult to recruit enough adequate and accessible polling places for elections. In some precincts on election day, poll workers spend fourteen hours or more at polling places in garages with no restrooms, heat or telephone facilities. Also, the Registrar of Voters is mandated to provide accessible polling places for disabled and elderly voters. Public buildings are likely to be accessible and adequate for poll workers on election day. Making the use of public buildings for polling places mandatory at the request of the election officer would help resolve the problems of recruiting enough adequate and accessible polling places for elections.

HOW WILL THIS PROPOSAL AFFECT THE AGENCY AND PUBLIC?

If it is mandatory for public buildings to be made available as polling places for elections, disabled and elderly voters will benefit because accessible polling places will be available to them. The agency will benefit because having access to more accessible polling places will enable it to meet its mandate to provide such polling places to elderly and disabled voters. The more widespread use of public buildings with their adequate facilities will make it easier for the agency to recruit poll workers willing to work a fourteen hour day.

OTHER RELATED CODE SECTIONS THAT WILL BE AFFECTED?

None

WILL THIS PROPOSAL SAVE/INCREASE COSTS? explain and give estimates:

Will reduce costs slightly, since the county is not required to pay for polling places which are on tax exempt property (Sec. 1504.5)

WHAT OTHER AGENCIES WOULD BE AFFECTED BY THIS PROPOSAL?

All jurisdictions which own public buildings would be affected, including cities, special districts, counties, and the state.

DRAFT LANGUAGE:

Amend Sec. 1504. Authorization for the use of schools and other public buildings by adding references to public buildings as follows:

(a) The governing body having jurisdiction over school buildings or other public buildings may authorize the use of its buildings for polling places on any election day, and may also authorize the use of its building, without cost, for the storage of voting machines and other vote-tabulating devices. However, if a city or county clerk specifically requests the use of a school building or other public building for polling places on an election day, the governing body having jurisdiction over the particular school building or public building shall allow its use for the purpose requested.

(b) Once a governing body has approved the use of a school building or public building as a polling place, the governing body shall instruct the school or public building administrator to provide the clerk a site with an adequate amount of space which will allow the precinct board to perform its duties in a manner which will not impede, interfere, or interrupt the normal process of voting.

(c) The school or public building administrator shall also make a reasonable effort to insure that the site is accessible to disabled and elderly voters.

0312/22



County of San Diego

CONNY B. McCORMACK
REGISTRAR OF VOTERS
(619) 694-3400

REGISTRAR OF VOTERS

5201-I RUFFIN ROAD, SAN DIEGO, CALIFORNIA 92123

January 11, 1989

TO: ERNIE HAWKINS, CHAIRMAN
County Clerks Legislative Committee

FROM: CONNY B. McCORMACK
San Diego County
Registrar of Voters

EMMIE J. HILL
Alameda County
Registrar of Voters

SUBJECT: MISHANDLED AFFIDAVITS OF REGISTRATION

At the December 7, 1988 meeting of the County Clerks Legislative Committee, we were assigned the task of preparing language for a bill aimed at reducing, if not eliminating, the number of voters who properly and timely executed an affidavit of registration only to have it misplaced by a third party, effectively denying those prospective voters of the right to vote. By passing SB455 (Chapter 36) in the last legislative session this problem was partially solved in that affidavits which arrive at the Registrar's office with a postmark of 29 days or more before the election are acceptable regardless of the lateness of delivery.

However, because the new law limits evidence to a postmark it does not help those voters whose affidavits never arrive at the Registrar's office via mail or from a deputy registrar.

The proposed language would amend Section 305(c) of the election code to read:

305(c) Upon request, the registrar of voters may accept an affidavit of registration that was not received by the county clerk in accordance with subdivision (a) or (b) or a newly executed affidavit of registration when evidence supports that the affidavit was executed on or before the 29th day prior to the election and that the affidavit was mishandled by a third party, including the postal service. Evidence is limited to the postmark on the affidavit, "POSSESSION OF A VALID AFFIDAVIT RECEIPT, OR A VALID PHOTOCOPY OF THE AFFIDAVIT."

Such language would help those voters who retained their affidavit receipts or for whom copies of the completed affidavits could be produced. Procedurally, such a voter would vote a provisional ballot with an explanation of the circumstances surrounding registration, show the registration receipt or the photocopy

to the precinct inspector for placement into the provisional ballot envelope and then vote.

We realize that affidavit forms are available year round in thousands of locations throughout the state at post offices, libraries, banks, etc. Because of this availability voters could pick one of these up between E-29 and election day. Even if this occurred the ramifications seem minor compared with election day registration which we believe is so widely supported because of the rigidity of current law which prevents some persons from voting whose affidavit forms were misplaced through no fault of their own.

We urge the County Clerks Legislative Committee to vote in favor of supporting this amended language to election code section 305(c).

Conny B. McCormack

CONNY B. MCCORMACK
County of San Diego
Registrar of Voters

Emmie J. Hill

EMMIE J. HILL
Alameda County
Registrar of Voters

CBM/EJH:meb

